

# Order

Michigan Supreme Court  
Lansing, Michigan

September 27, 2006

Clifford W. Taylor,  
Chief Justice

131326

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 131326  
COA: 267933  
Kent CC: 01-005384-FH

LAWRENCE K. YAHNE,  
Defendant-Appellant.

---

On order of the Court, the application for leave to appeal the April 7, 2006 order of the Court of Appeals is considered. We DIRECT the Kent County Prosecuting Attorney to answer the application for leave to appeal within 28 days after the date of this order. The prosecutor shall pay particular attention to the apparent discrepancy between the prosecutor's decision to dismiss the second count of the information, charging defendant with a second count of second-degree criminal sexual conduct, following the preliminary examination, and the April 12, 2002 judgment imposing sentence for two counts of second-degree criminal sexual conduct.

The application for leave to appeal remains pending.



t0920

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 27, 2006

Clerk